

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79057725
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION (no change)	
ARGUMENT(S)	
<u>Disclaimer Requirement</u> The Examining Attorney requires a disclaimer of NIPPON STEEL. However, Applicant submits the attached 2(f) declaration of acquired distinctiveness along with exhibits 1, 2 and 3 (which show a long sales history in the US going back to 1977). Accordingly, Applicant respectfully requests that the disclaimer requirement be withdrawn.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	http://tgate/PDF/RFR/2009/10/30/20091030151404642005-79057725-004_001/evi_685014125-144612379_79057725_2_f_exec_dec_ON THE LEADING EDGE NIPPON STEEL..pdf
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DESCRIPTION OF EVIDENCE FILE	Section 2(f) declaration along with exhibits 1, 2 and 3.
GOODS AND/OR SERVICES SECTION (001)(current)	
INTERNATIONAL CLASS	001
DESCRIPTION	
<p>Acrylic resins, unprocessed; adhesives for industrial purposes; alkalies; alkaline iodides for industrial purposes, namely, aluminum iodide, silver iodide; alkaline metals, namely, sodium, potassium; alkaline-earth metals; alumina; aluminum chloride; aluminum hydrate; aluminum silicate; ammonia for industrial purposes; anhydrides, namely, phosphoric anhydrides, phthalic anhydrides; argon; unprocessed artificial resins; auxiliary fluids for use with abrasives for general industrial use; barium compounds, namely, barium chloride, barium hydroxide; barytes; bentonite; benzene derivatives for use in biotechnology, pharmaceuticals; benzoic acid; foundry binding substances, namely foundry sand; brazing fluxes; carbon in the nature of natural graphite; carbon black for industrial purposes; absorbing carbon for filters; catalysts, for use in the manufacture of industrial chemicals; ceramic glazings; ceramic materials in particulate form, for use as filtering media; compositions for the manufacture of technical ceramics, namely, ceramic powders for manufacturing; chemical preparations for facilitating the alloying of metals; dry ice; unprocessed epoxy resins; fertilizers; unprocessed plastics in the nature of filtering materials for impurities removal in metal industries; helium; hydrogen; industrial chemicals; krypton; lime carbonate; magnesium carbonate; naphthalene; neon; nitrogen; oxygen; phenol for industrial purposes; unprocessed plastics; rare earths; chemical reagents other than for medical or veterinary purposes; raw salt, namely, salts from rare earth minerals; salts as chemical preparations, namely, metallates; salts as fertilizers; salts for industrial purposes, namely, magnesium salts ; salts from rare earth metals namely, salts of alkaline metals, salts of precious metals for industrial purposes; silicates, namely, aluminum silicate, zinc silicate; silicon; soda ash; soldering fluxes; sulphur; sulphuric acid; unprocessed synthetic resins; titanium dioxide for industrial purposes;</p>	

toluene; welding chemicals, namely, gases for welding; xenon; zirconia; welding fluxes; ammonium sulphate; calcium silicate; silica gel; methanol; anthracene; styrene monomer; cyclohexene; chemicals for industrial use, namely, biphenyls, acenaphthenes; , chemicals for industrial use, namely, terphenyl; decahydronaphthalene; tetrahydronaphthalene; chemicals for industrial use, namely, methylnaphthalenes; pyrene; fluorene; coumarone resin; phenanthrene; cyclohexane; bisphenol A; cresol; xylenol; phthalic anhydride; para-benzylbiphenyl; indoles; skatole; coumarin; dihydrocoumarin; indenes; isoquinolines; quinaldine; tetrachlorophthalic anhydride; divinylbenzene; diphenylbenzene; carbazole; thiophene; pyridine; cement blending agents, namely, contact cements, oil cement; soil improving agents; phenolic resins; polyamide resins; polystyrene resins; polypropylene resins; organometallic compounds, namely, tetraethyl lead; ammonium sulphate fertilizer; liquid crystal, namely, for use in liquid crystal display; resists for color filter of liquid crystal display; foundry coke; ceramic compositions in the form of granules and powders for sintering

GOODS AND/OR SERVICES SECTION (001)(proposed)
**INTERNATIONAL
CLASS**

001

DESCRIPTION

Acrylic resins, unprocessed; adhesives for industrial purposes; alkalies; alkaline iodides for industrial purposes, namely, aluminum iodide, silver iodide; alkaline metals, namely, sodium, potassium; alkaline-earth metals; alumina; aluminum chloride; aluminum hydrate; aluminum silicate; ammonia for industrial purposes; anhydrides, namely, phosphoric anhydrides, phthalic anhydrides; argon; unprocessed artificial resins; auxiliary fluids for use with abrasives for general industrial use; barium compounds, namely, barium chloride, barium hydroxide; barytes; bentonite; benzene derivatives for use in biotechnology, pharmaceuticals; benzoic acid; foundry binding substances, namely foundry sand; brazing fluxes; carbon in the nature of natural graphite; carbon black for industrial purposes; absorbing carbon for filters; catalysts, for use in the manufacture of industrial chemicals; ceramic glazings; ceramic materials in particulate form, for use as filtering media; compositions for the manufacture of technical ceramics, namely, ceramic powders for manufacturing; chemical preparations for facilitating the alloying of metals; dry ice; unprocessed epoxy resins; fertilizers; unprocessed plastics in the nature of filtering materials for impurities removal in metal industries; helium; hydrogen; industrial chemicals; krypton; lime carbonate; magnesium carbonate; naphthalene; neon; nitrogen; oxygen; phenol for industrial purposes; unprocessed plastics; rare earths; chemical reagents other than for medical or veterinary purposes; raw salt, namely, salts from rare earth minerals; salts as chemical preparations, namely, metallates; salts as fertilizers; salts for industrial purposes, namely, magnesium salts ; salts from rare earth metals namely, salts of alkaline metals, salts of precious metals for industrial purposes; silicates, namely, aluminum silicate, zinc silicate; silicon; soda ash; soldering fluxes; sulphur; sulphuric acid; unprocessed synthetic resins; titanium dioxide for industrial purposes; toluene; welding chemicals, namely, gases for welding; xenon; zirconia; welding fluxes; ammonium sulphate; calcium silicate; silica gel; methanol; anthracene; styrene monomer; cyclohexene; chemicals for industrial use, namely, biphenyls, acenaphthenes; , chemicals for industrial use, namely, terphenyl; decahydronaphthalene; tetrahydronaphthalene; chemicals for industrial use, namely, methylnaphthalenes; pyrene; fluorene; coumarone resin; phenanthrene; cyclohexane; bisphenol A; cresol; xylenol; phthalic anhydride; para-benzylbiphenyl; indoles; skatole; coumarin; dihydrocoumarin; indenes; isoquinolines; quinaldine; tetrachlorophthalic anhydride; divinylbenzene; diphenylbenzene; carbazole; thiophene; pyridine; cement blending agents, namely, contact cements, oil cement; soil improving agents; phenolic resins; polyamide resins; polystyrene resins; polypropylene resins; organometallic compounds, namely, tetraethyl lead; ammonium sulphate fertilizer; liquid crystal, namely, for use in liquid crystal display; foundry coke; ceramic compositions in the form of granules and powders for sintering

GOODS AND/OR SERVICES SECTION (006)(current)
**INTERNATIONAL
CLASS**

006

DESCRIPTION

Alloys of common metal; aluminum; aluminum foil; aluminum wire; balls of steel; boxes of common metal; brackets of metal for building; unwrought or semi-wrought brass; brazing alloys; rods of metal for brazing; metal boards for building; building or furniture fittings of nickel-silver; prefabricated buildings of metal; cable joints of

metal, non-electric; unwrought or semi-wrought cast iron; cast steel; unwrought or semi-wrought common metals; containers of metal for storage; containers of metal for transport; unwrought or semi-wrought copper; crash barriers of metal for roads; fittings of metal for building; flanges of metal; foundry moulds of metal; framework of metal for building; gold solder; small hardware of metal, namely, springs, nuts, bolts, nails, rivets, screws and washers; indium; ingots of common metal; iron ores; unwrought or semi-wrought iron; iron wire; joists of metal; unwrought or semi-wrought lead; linings of metal for building purposes; manhole covers of metal; manifolds of metal for pipelines; materials of metal for funicular railway permanent; metals in powder form; nickel; niobium; nuts of metal; pillars of metal for buildings; pipe muffs of metal; poles of metal; posts of metal; construction support props of metal; railroad ties of metal; rails of metal; railway material of metal; railway points; railway sleepers of metal; railway switches; reinforcing materials of metal for building; sheet piles of metal; metal in the form of sheets and plates; silver plated tin alloy; silver solder; metal hardware, namely, cable junction sleeves; soldering wire of metal; metal springs; steel alloys; steel buildings; steel pipes; steel sheets; steel in the form of strips; unwrought or semi-wrought steel; steel wire; metal steps (ladders); stop collars of metal; stops of metal, namely, metal valves; strap-hinges of metal; tantalum; tin; tin foil; tinplate; tinplate packings; titanium; titanium iron; tombac; trellis of metal; tubes of metal; tungsten; metal turntables for railways; vanadium; rods of metal for welding; wire gauze; wire of common metal; wire of common metal alloys, except fuse wire; wire rope; zirconium; steel bars; steel strands; steel cables; steel shapes; wire of metal for welding; heavy plate steel; hot-rolled steel sheets and coils; cold-rolled steel sheets and coils; tin free steel sheets and coils; electrical steel sheets; galvanized sheets and coils

GOODS AND/OR SERVICES SECTION (006)(proposed)

INTERNATIONAL CLASS	006
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DESCRIPTION

Alloys of common metal; aluminum; aluminum foil; aluminum wire; balls of steel; boxes of common metal; brackets of metal for building; unwrought or semi-wrought brass; brazing alloys; rods of metal for brazing; metal boards for building; building or furniture fittings of nickel-silver; prefabricated buildings of metal; cable joints of metal, non-electric; unwrought or semi-wrought cast iron; cast steel; unwrought or semi-wrought common metals; containers of metal for storage; containers of metal for transport; unwrought or semi-wrought copper; crash barriers of metal for roads; fittings of metal for building; flanges of metal; foundry moulds of metal; framework of metal for building; gold solder; small hardware of metal, namely, springs, nuts, bolts, nails, rivets, screws and washers; indium; ingots of common metal; iron ores; unwrought or semi-wrought iron; iron wire; joists of metal; unwrought or semi-wrought lead; linings of metal for building purposes; manhole covers of metal; manually-operated manifolds of metal for pipelines; materials of metal for funicular railway permanent tracks; metals in powder form; nickel; niobium; nuts of metal; pillars of metal for buildings; pipe muffs of metal; poles of metal; posts of metal; construction support props of metal; railroad ties of metal; rails of metal; railway material of metal; railway points; railway sleepers of metal; railway switches; reinforcing materials of metal for building; sheet piles of metal; metal in the form of sheets and plates; silver plated tin alloy; silver solder; metal hardware, namely, cable junction sleeves; soldering wire of metal; metal springs; steel alloys; prefabricated, portable steel buildings; steel pipes; steel sheets; steel in the form of strips; unwrought or semi-wrought steel; steel wire; metal steps ladders; stop collars of metal; stops of metal, namely, metal valves; strap-hinges of metal; tantalum; tin; tin foil; tinplate; tinplate packings; titanium; titanium iron; tombac; trellis of metal; tubes of metal; tungsten; metal turntables for railways; vanadium; rods of metal for welding; wire gauze; wire of common metal; wire of common metal alloys, except fuse wire; wire rope; zirconium; steel bars; steel strands; steel cables; steel shapes; wire of metal for welding; heavy plate steel; hot-rolled steel sheets and coils; cold-rolled steel sheets and coils; tin free steel sheets and coils; electrical steel sheets; galvanized sheets and coils

GOODS AND/OR SERVICES SECTION (007)(current)

INTERNATIONAL CLASS	007
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DESCRIPTION

Aerators; air suction machines; anti-pollution devices for motors and engines; atomizer machines, namely, spray guns for paint, spaying machines; bearings being parts of machines; bending machines; bookbinding machines for industrial purposes; catalytic converters; compressed air engines not for land vehicles; compressed air machines;

compressed air pumps; compressors for machines; air condensing installations; connecting rods for machines, motors and engines; hydraulic and pneumatic control mechanisms for metalworking machines, mining machines, construction machines, loading-unloading machines, semiconductor manufacturing machines, engines and motors; converters for steel works, namely, steel converter; couplings for machines other than for land vehicles; waste crushing machines; cutting machines; drain cocks; drainage machines for construction; drainage machines for agriculture; apparatus for dressing, namely, power-operated cultivators; exhausts for motors and engines, namely, exhaust pipes for land vehicles; finishing machines, namely, concrete finishing machines, plywood finishing machines; gasifiers; generators of electricity; grinding machines; guides for metalworking machines; hand-held tools, other than hand-operated, namely, power-operated tools, namely, buffers; heat exchangers for chemical processing machines, food or vegetable processing machines, and non-electric prime movers not for land vehicles; hemming machines machine tools holders; inking apparatus for printing machines; journal boxes being parts of machines; journals being parts of machines; apparatus for machining, namely, metal working machines, namely, machining centers; exhaust manifold for engines; metal drawing machines; metalworking machines; compression or extrusion moulding machines; forging moulds; mufflers for motors and engines; paper feeders machines for printing; papermaking machines; paring machines for metalworking and woodworking; pneumatic transporters; electric machines and apparatus for polishing metal; electric machines and apparatus for polishing stones; metal extrusion presses; industrial machine presses; pressure regulators being parts of machines; printing cylinders being parts of machines; printing machines; printing plates; printing presses; printing rollers for machines; propulsion mechanisms other than for land vehicles, namely, propellers for machines; ram machines for use in construction; rolling mill cylinders being parts of machines; rolling mills, rotary printing presses; sewage pulverizers being machines; sheaf-binding machines; silencers as part of exhaust systems for vehicle motors and engines; slide rests being parts of machines; speed governors for machines, engines and motors; stone working machines; transmissions for machines; metal trimming machines; turbines other than for land vehicles; tympan being parts of printing presses; vibrators machines for industrial use, namely, concrete vibrators; vulcanization machines; waste compacting machines; waste disposers machines; water heaters being parts of non-electric prime movers, not for land vehicles; water heaters being parts of dish washing machines; gas operated welding machines; electric welding machines; mining working machines, namely, drills for the mining industry; industrial robots for metal working; continuous casting machines; metal surface pickling apparatus, namely, an apparatus for giving a pickling treatment on the surface of metal; metal surface tinning apparatus, namely, an apparatus for tin-plating on the surface of metal; annealing machines

GOODS AND/OR SERVICES SECTION (007)(proposed)

INTERNATIONAL CLASS	007
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DESCRIPTION

Aerators; air suction machines; anti-pollution devices for motors and engines; atomizer machines, namely, spray guns for paint, spaying machines; bearings being parts of machines; bending machines; bookbinding machines for industrial purposes; catalytic converters; compressed air engines not for land vehicles; compressed air machines; compressed air pumps; compressors for machines; air condensing installations; connecting rods for machines, motors and engines; hydraulic and pneumatic control mechanisms for metalworking machines, mining machines, construction machines, loading-unloading machines, semiconductor manufacturing machines, engines and motors; converters for steel works, namely, steel converter; couplings for machines other than for land vehicles; waste crushing machines; cutting machines; drain cocks; drainage machines for construction; drainage machines for agriculture; apparatus for dressing, namely, power-operated cultivators; exhausts for motors and engines, namely, exhaust pipes for land vehicles; finishing machines, namely, concrete finishing machines, plywood finishing machines; gasifiers; generators of electricity; grinding machines; guides for metalworking machines; hand-held tools, other than hand-operated, namely, power-operated tools, namely, buffers; heat exchangers for chemical processing machines, food or vegetable processing machines, and non-electric prime movers not for land vehicles; hemming machines; machine tools holders; inking apparatus for printing machines; journal boxes being parts of machines; journals being parts of machines; apparatus for machining, namely, metal working machines, namely, machining centers; exhaust manifold for engines; metal drawing machines; metalworking machines; compression or extrusion moulding machines; forging moulds; mufflers for motors and engines; paper feeders machines for printing; papermaking machines; paring machines for metalworking and woodworking; pneumatic transporters; electric machines and apparatus for polishing metal; electric machines and apparatus for polishing stones; metal extrusion presses; industrial machine presses; pressure regulators being parts of machines; printing cylinders being

parts of machines; printing machines; printing plates; printing presses; printing rollers for machines; propulsion mechanisms other than for land vehicles, namely, propellers for machines; ram machines for use in construction; rolling mill cylinders being parts of machines; rolling mills; rotary printing presses; sewage pulverizers being machines; sheaf-binding machines; silencers as part of exhaust systems for vehicle motors and engines; slide rests being parts of machines; speed governors for machines, engines and motors; stone working machines; transmissions for machines; metal trimming machines; turbines other than for land vehicles; tympani being parts of printing presses; vibrators machines for industrial use, namely, concrete vibrators; vulcanization machines; waste compacting machines; waste disposers machines; water heaters being parts of non-electric prime movers, not for land vehicles; water heaters being parts of dish washing machines; gas operated welding machines; electric welding machines; mining working machines, namely, drills for the mining industry; industrial robots for metal working; continuous casting machines; metal surface pickling apparatus, namely, a machine for giving a pickling treatment on the surface of metal; metal surface tinning apparatus, namely, a machine for tin-plating on the surface of metal; annealing machines

GOODS AND/OR SERVICES SECTION (009)(current)

INTERNATIONAL CLASS	009
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DESCRIPTION

Electronic agendas; anodes; bar code readers; batteries, electric; capacitors; cathodes; central processing units; integrated circuit chips; cinematographic cameras; recorded computer operating programs; computer peripheral devices; downloadable computer software for database management; computer software, for database management recorded on data media; computers; electric connections; connections for electric lines; electric contacts; electric contacts of precious metal; data processors; electric distribution consoles; electric arc cutters; electric arc welders; electric loss indicators; electric welding apparatus, namely, laser welding devices; galvanizing machines; electrolyzers; smart cards, namely, integrated circuit cards; integrated circuits; intercommunication apparatus; accumulator jars; juke boxes for computers; junction sleeves for electric cables; lasers, not for medical purposes; blank magnetic data media; magnetic encoders; material testing instruments and machines, namely, radiation-measuring instruments, metal compression testing machines, metal hardness testing machines, metal strength testing machines; mathematical instruments, namely, drafting machines; measuring apparatus, namely, bevels, rain gauges, pressure gauge, accelerometers, concentration meters, surface roughness testing machines and instruments; measuring instruments, namely, resistance measuring instruments, instruments for measuring length; optical mirrors; computer software to monitor and control factory manufacturing processes; optical apparatus and instruments, namely, optical apparatus for industrial use; optical character readers; optical condensers; optical data media, namely, blank optical disks; photographic, electrostatic and thermic photocopiers; plates for batteries; portable telephones; printed circuits; prisms; data processing readers; electric resistances; semi-conductors; solar batteries; telephone apparatus; telecommunications transmitters; telecommunications transmitting sets; video telephones; silicon wafers; welding electrodes; color filters for liquid crystal display; flexible print circuits; flexible print circuit materials; electrical coils; metal surface galvanizing machines; spark-guards for welding, namely, face-protection shields; downloadable electronic publications, namely, information pamphlets, catalogues, newsletters and books in the field of steelmaking, engineering and construction

GOODS AND/OR SERVICES SECTION (009)(proposed)

INTERNATIONAL CLASS	009
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DESCRIPTION

Electronic agendas; anodes; bar code readers; batteries, electric; capacitors; cathodes; central processing units; integrated circuit chips; cinematographic cameras; recorded computer operating programs; computer peripheral devices; downloadable computer software for database management; computer software, for database management recorded on data media; computers; electric connections; connections for electric lines; electric contacts; electric contacts of precious metal; data processors; electric distribution consoles; electric arc cutters; electric arc welders; electric temperature loss indicator; electric pressure loss indicator; electric welding apparatus, namely, laser welding devices; galvanizing machines; electrolyzers; smart cards, namely, integrated circuit cards; integrated circuits; intercommunication apparatus, namely, intercoms, walkie-talkies; accumulator jars; juke boxes for

computers; junction sleeves for electric cables; lasers, not for medical purposes; blank magnetic data media; magnetic encoders; material testing instruments and machines, namely, radiation-measuring instruments, metal compression testing machines, metal hardness testing machines, metal strength testing machines; mathematical instruments, namely, measuring cups, drafting machines; measuring apparatus, namely, bevels, rain gauges, pressure gauge, accelerometers, concentration meters, surface roughness testing machines and instruments; measuring instruments, namely, resistance measuring instruments, instruments for measuring length; optical mirrors; computer software to monitor and control factory manufacturing processes; optical apparatus and instruments, namely, optical scanners; optical character readers; optical condensers; optical data media, namely, blank optical disks; photographic, electrostatic and thermic photocopiers; plates for batteries; portable telephones; printed circuits; prisms; electric resistances; semi-conductors; solar batteries; telephone apparatus; telecommunications transmitters; telecommunications transmitting sets; video telephones; silicon wafers; welding electrodes; color filters for liquid crystal display; flexible print circuits; electrical coils; metal surface galvanizing machines; spark-guards for welding, namely, face-protection shields; downloadable electronic publications, namely, information pamphlets, catalogues, newsletters and books in the field of steelmaking, engineering and construction

GOODS AND/OR SERVICES SECTION (011)(current)

INTERNATIONAL CLASS	011
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DESCRIPTION

Air conditioning apparatus; air conditioning installations; air cooling apparatus; electric air deodorising apparatus; air filtering installations; air purifying apparatus and machines; air sterilizers; ash pits for furnaces; electrical boilers, furnace boilers, and heating boilers, other than parts of machines; coolers for furnaces; cooling appliances and installations, namely, cooling domes; cooling installations and machines, namely, evaporative air coolers; water desalination plants; distillation apparatus; drying apparatus for chemical processing; electric lamps; evaporators; filters for air conditioning; air filters for industrial furnaces; air filters for industrial boilers; air filters for air-conditioning installations for industrial purposes; air filters for garbage incinerators; water filters for water purifying apparatus; air filters for household electrothermic appliances; fire bars, namely, fireplace grates; shaped fittings for furnaces, namely, cocks, baffles; framework of metal for ovens; fuel economizers for use in boilers, furnaces, smelters, heating systems, turbines and combined heat and power units; furnace ash boxes; furnace grates for industrial furnace and nuclear reactors; furnace grates for industrial boilers; furnace grates for cooking equipment for industrial purposes; furnaces; cooling vats for furnaces; gas scrubbers; heat exchangers, not parts of machines; heating apparatus for solid, liquid or gaseous fuels, namely, hot-water space heating apparatus; heating elements; hot water heating installations; hot air apparatus, namely, hot air space heating apparatus, hot air blowers; lighting apparatus and installations, namely, electric lighting fixtures, flat panel lighting apparatus, LED (light emitting diode) lighting fixtures; loading apparatus for furnaces; mixer taps for water pipes; oven fittings made of fireclay; pasteurisers for use in food, beverage, pharmaceuticals; purification installations for sewage; refrigerating apparatus and machines, namely, gas refrigerators; refrigerating appliances and installations; refrigerating cabinets; regulating accessories for water apparatus and pipes; plumbing fittings in the nature of washers for water taps; sanitary apparatus and installations, namely, bath tubs, toilet stool units with a washing water squirter, steam generating installations; toilets; water filtering apparatus; water flushing installations, namely, flush levers; water purification installations; water purifying apparatus and machines; water sterilizers; waste melting apparatus, namely, waste melting furnace

GOODS AND/OR SERVICES SECTION (011)(proposed)

INTERNATIONAL CLASS	011
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DESCRIPTION

Air conditioning apparatus; air conditioning installations; air cooling apparatus; electric air deodorising apparatus; air filtering installations; air purifying apparatus and machines; air sterilizers; ash pits for furnaces; electrical boilers, furnace boilers, and heating boilers, other than parts of machines; coolers for furnaces; cooling appliances and installations, namely, cooling domes; cooling installations and machines, namely, evaporative air coolers; water desalination plants; distillation apparatus; electric lamps; evaporators; filters for air conditioning; air filters

for industrial furnaces; air filters for industrial boilers; air filters for air-conditioning installations for industrial purposes; air filters for garbage incinerators; water filters for water purifying apparatus; air filters for household electrothermic appliances; shaped fittings for furnaces, namely, cocks, baffles; framework of metal for ovens; fuel economizers for use in boilers, furnaces, smelters, heating systems, turbines and combined heat and power units; furnace ash boxes; furnace grates for industrial furnace and nuclear reactors; furnace grates for industrial boilers; furnace grates for cooking equipment for industrial purposes; furnaces; cooling vats for furnaces; gas scrubbers; heat exchangers, not parts of machines; heating apparatus for solid, liquid or gaseous fuels, namely, hot-water space heating apparatus; heating elements; hot water heating installations; hot air apparatus, namely, hot air space heating apparatus, hot air blowers; lighting apparatus and installations, namely, electric lighting fixtures, flat panel lighting apparatus, LED (light emitting diode) lighting fixtures; loading apparatus for furnaces; mixer taps for water pipes; oven fittings made of fireclay; pasteurisers for use in food, beverage, pharmaceuticals; purification installations for sewage; refrigerating apparatus and machines, namely, gas refrigerators; refrigerating appliances and installations; refrigerating cabinets; regulating accessories for water apparatus and pipes; plumbing fittings in the nature of washers for water taps; sanitary apparatus and installations, namely, bath tubs, toilet stool units with a washing water squirter; steam generating installations; toilets; water filtering apparatus; water flushing installations, namely, flush levers; water purification installations; water purifying apparatus and machines; water sterilizers; waste melting apparatus, namely, waste melting furnace

GOODS AND/OR SERVICES SECTION (037)(no change)
GOODS AND/OR SERVICES SECTION (042)(current)
**INTERNATIONAL
CLASS**

042

DESCRIPTION

Architectural consultation; architecture, namely, architectural design; construction drafting; urban planning; architectural analysis; engineering services in the field of electrical power plant; engineering services in the field of chemical plant; engineering services in the field of steel plant; engineering services in the field of waste treatment plant; engineering services in the field of polychlorinated biphenyl treatment plant; engineering services in the field of liquefied natural gas plants; engineering services in the field of recycling plant; engineering services in the field of energy plants; engineering services in the field of receiving and storage plants; engineering services in the field of floating structures; engineering services in the field of offshore steel structures; design for others of base-isolation and vibration-control devices; technical consultation in the field of engineering services in the field of electrical power plants; technical consultation in the field of engineering services in the field of chemical plants; technical consultation in the field of engineering services in the field of steel plants; technical consultation in the field of engineering services in the field of waste treatment plants; technical consultation in the field of engineering services in the field of polychlorinated biphenyl treatment plants; technical consultation in the field of engineering services in the field of liquefied natural gas plants; technical consultation in the field of engineering services in the field of recycling plants; technical consultation in the field of engineering services in the field of energy plants; technical consultation in the field of engineering services in the field of receiving and storage plants. technical consultation in the field of engineering services in the field of floating structures; technical consultation in the field of engineering services in the field of offshore steel structures; technical consultancy service for steel making; technical consultancy service for steel making; consultancy in the field of computer hardware; computer programming; computer software design, computer system design; computer system analysis; computer virus protection services; maintenance of computer software; updating of computer software; conversion of data or documents from physical to electronic media; creating and maintaining Web sites for others; data conversion of computer programs and data, not physical conversion; duplication of computer programs; installation of computer software; providing search engines for obtaining data on a global computer network; recovery of computer data; computer software consultancy; chemical analysis; chemical research; chemistry services; mechanical research; testing, inspection or research of pharmaceuticals, cosmetics or foodstuff; research on building construction or city planning; testing or research on prevention of pollution; testing or research on electricity; testing or research on civil engineering; testing, inspection or research on agriculture, livestock breeding or fisheries; testing or research on machines, apparatus and instruments; material testing; research in the field of environmental protection; underwater exploration; computer rental; rental of computer software; rental of Web servers; hosting computer Web sites of others; calibration. technical writing in the nature of drafting of standard practice instruction for others; technical writing in the nature of drafting of standard practice instruction manual for others

GOODS AND/OR SERVICES SECTION (042)(proposed)	
INTERNATIONAL CLASS	042
DESCRIPTION	
<p>Architectural consultation; architecture, namely, architectural design; construction drafting; urban planning; architectural analysis; engineering services in the field of electrical power plant; engineering services in the field of chemical plant; engineering services in the field of steel plant; engineering services in the field of waste treatment plant; engineering services in the field of polychlorinated biphenyl treatment plant; engineering services in the field of liquefied natural gas plants; engineering services in the field of recycling plant; engineering services in the field of energy plants; engineering services in the field of receiving and storage plants; engineering services in the field of floating structures; engineering services in the field of offshore steel structures; design for others of base-isolation and vibration-control devices; technical consultation in the field of engineering services in the field of electrical power plants; technical consultation in the field of engineering services in the field of chemical plants; technical consultation in the field of engineering services in the field of steel plants; technical consultation in the field of engineering services in the field of waste treatment plants; technical consultation in the field of engineering services in the field of polychlorinated biphenyl treatment plants; technical consultation in the field of engineering services in the field of liquefied natural gas plants; technical consultation in the field of engineering services in the field of recycling plants; technical consultation in the field of engineering services in the field of energy plants; technical consultation in the field of engineering services in the field of receiving and storage plants; technical consultation in the field of engineering services in the field of floating structures; technical consultation in the field of engineering services in the field of offshore steel structures; technical consultancy service for steel making; technical consultancy service for steel making; consultancy in the field of computer hardware; computer programming; computer software design; computer system design; computer system analysis; computer virus protection services; maintenance of computer software; updating of computer software; conversion of data or documents from physical to electronic media; creating and maintaining Web sites for others; data conversion of computer programs and data, not physical conversion; duplication of computer programs; installation of computer software; providing search engines for obtaining data on a global computer network; recovery of computer data; computer software consultancy; chemical analysis; chemical research; chemistry services; mechanical research; testing, inspection or research of pharmaceuticals, cosmetics or foodstuff; research on building construction or city planning; testing or research on prevention of pollution; testing or research on electricity; testing or research on civil engineering; testing, inspection or research on agriculture, livestock breeding or fisheries; testing or research on machines, apparatus and instruments; material testing; research in the field of environmental protection; underwater exploration; computer rental; rental of computer software; rental of Web servers; hosting computer Web sites of others; calibration; technical writing in the nature of drafting of standard practice instruction for others; technical writing in the nature of drafting of standard practice instruction manual for others</p>	
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/KRO/
SIGNATORY'S NAME	Kausal R. Odedra
SIGNATORY'S POSITION	Applicant's Attorney, DC bar
DATE SIGNED	10/30/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Fri Oct 30 15:14:04 EDT 2009
TEAS STAMP	USPTO/RFR-68.50.14.125-20 091030151404642005-790577 25-460cef9f2aafd612fad987 ca8eb983b5021-N/A-N/A-200 91030144612379064

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **79057725** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Disclaimer Requirement

The Examining Attorney requires a disclaimer of NIPPON STEEL. However, Applicant submits the attached 2(f) declaration of acquired distinctiveness along with exhibits 1, 2 and 3 (which show a long sales history in the US going back to 1977). Accordingly, Applicant respectfully requests that the disclaimer requirement be withdrawn.

EVIDENCE

Evidence in the nature of Section 2(f) declaration along with exhibits 1, 2 and 3, has been attached.

Original PDF file:

http://tgate/PDF/RFR/2009/10/30/20091030151404642005-79057725-004_001/evi_685014125-144612379_79057725_2_f_exec_dec_ON_THE_LEADING_EDGE_NIPPON_STEEL.pdf

Converted PDF file(s) (3 pages)

Evidence-1

Evidence-2

Evidence-3

Original PDF file:

http://tgate/PDF/RFR/2009/10/30/20091030151404642005-79057725-004_002/evi_685014125-144612379_NIPPON_STEEL_EX_1_06-09.pdf

Converted PDF file(s) (11 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

Evidence-7

Evidence-8

Evidence-9

Evidence-10

Evidence-11**Original PDF file:**

http://tgate/PDF/RFR/2009/10/30/20091030151404642005-79057725-004_003/evi_685014125-144612379_NIPPON_STEEL_EX_2_06-09.pdf

Converted PDF file(s) (7 pages)Evidence-1Evidence-2Evidence-3Evidence-4Evidence-5Evidence-6Evidence-7**Original PDF file:**

http://tgate/PDF/RFR/2009/10/30/20091030151404642005-79057725-004_004/evi_685014125-144612379_NIPPON_STEEL_EX_3_Sales_Data.pdf

Converted PDF file(s) (3 pages)Evidence-1Evidence-2Evidence-3**CLASSIFICATION AND LISTING OF GOODS/SERVICES****Applicant proposes to amend the following class of goods/services in the application:**

Current: Class 001 for Acrylic resins, unprocessed; adhesives for industrial purposes; alkalies; alkaline iodides for industrial purposes, namely, aluminum iodide, silver iodide; alkaline metals, namely, sodium, potassium; alkaline-earth metals; alumina; aluminum chloride; aluminum hydrate; aluminum silicate; ammonia for industrial purposes; anhydrides, namely, phosphoric anhydrides, phthalic anhydrides; argon; unprocessed artificial resins; auxiliary fluids for use with abrasives for general industrial use; barium compounds, namely, barium chloride, barium hydroxide; barytes; bentonite; benzene derivatives for use in biotechnology, pharmaceuticals; benzoic acid; foundry binding substances, namely foundry sand; brazing fluxes; carbon in the nature of natural graphite; carbon black for industrial purposes; absorbing carbon for filters; catalysts, for use in the manufacture of industrial chemicals; ceramic glazings; ceramic materials in particulate form, for use as filtering media; compositions for the manufacture of technical ceramics, namely, ceramic powders for manufacturing; chemical preparations for facilitating the alloying of metals; dry ice; unprocessed epoxy resins; fertilizers; unprocessed plastics in the nature of filtering materials for impurities removal in metal industries; helium; hydrogen; industrial chemicals; krypton; lime carbonate; magnesium carbonate; naphthalene; neon; nitrogen; oxygen; phenol for industrial purposes; unprocessed plastics; rare earths; chemical reagents other than for medical or veterinary purposes; raw salt, namely, salts from rare earth minerals; salts as chemical preparations, namely, metallates; salts as fertilizers; salts for industrial purposes, namely, magnesium salts; salts from rare earth metals namely, salts of alkaline metals, salts of precious metals for industrial purposes; silicates, namely, aluminum silicate, zinc silicate; silicon; soda ash; soldering fluxes; sulphur; sulphuric acid; unprocessed synthetic resins; titanium dioxide for industrial purposes; toluene; welding chemicals, namely, gases for welding; xenon; zirconia; welding fluxes; ammonium sulphate; calcium silicate; silica gel; methanol; anthracene; styrene monomer; cyclohexene; chemicals for industrial use, namely, biphenyls, acenaphthenes, chemicals for industrial use, namely, terphenyl; decahydronaphthalene; tetrahydronaphthalene; chemicals for industrial use, namely, methylnaphthalenes; pyrene; fluorene; coumarone resin; phenanthrene; cyclohexane; bisphenol A; cresol; xylenol; phthalic anhydride; para-benzylbiphenyl; indoles; skatole; coumarin; dihydrocoumarin; indenes; isoquinolines; quinaldine; tetrachlorophthalic anhydride; divinylbenzene; diphenylbenzene; carbazole; thiophene; pyridine; cement blending agents, namely, contact cements, oil cement; soil improving agents; phenolic resins; polyamide resins; polystyrene resins; polypropylene resins; organometallic compounds, namely, tetraethyl lead; ammonium sulphate fertilizer; liquid crystal, namely, for use in liquid crystal display; resists for color filter of liquid crystal display; foundry coke; ceramic compositions in the form of granules and powders for sintering

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 001 for Acrylic resins, unprocessed; adhesives for industrial purposes; alkalies; alkaline iodides for industrial purposes, namely, aluminum iodide, silver iodide; alkaline metals, namely, sodium, potassium; alkaline-earth metals; alumina; aluminum chloride; aluminum hydrate; aluminum silicate; ammonia for industrial purposes;

anhydrides, namely, phosphoric anhydrides, phthalic anhydrides; argon; unprocessed artificial resins; auxiliary fluids for use with abrasives for general industrial use; barium compounds, namely, barium chloride, barium hydroxide; barytes; bentonite; benzene derivatives for use in biotechnology, pharmaceuticals; benzoic acid; foundry binding substances, namely foundry sand; brazing fluxes; carbon in the nature of natural graphite; carbon black for industrial purposes; absorbing carbon for filters; catalysts, for use in the manufacture of industrial chemicals; ceramic glazings; ceramic materials in particulate form, for use as filtering media; compositions for the manufacture of technical ceramics, namely, ceramic powders for manufacturing; chemical preparations for facilitating the alloying of metals; dry ice; unprocessed epoxy resins; fertilizers; unprocessed plastics in the nature of filtering materials for impurities removal in metal industries; helium; hydrogen; industrial chemicals; krypton; lime carbonate; magnesium carbonate; naphthalene; neon; nitrogen; oxygen; phenol for industrial purposes; unprocessed plastics; rare earths; chemical reagents other than for medical or veterinary purposes; raw salt, namely, salts from rare earth minerals; salts as chemical preparations, namely, metallates; salts as fertilizers; salts for industrial purposes, namely, magnesium salts; salts from rare earth metals namely, salts of alkaline metals, salts of precious metals for industrial purposes; silicates, namely, aluminum silicate, zinc silicate; silicon; soda ash; soldering fluxes; sulphur; sulphuric acid; unprocessed synthetic resins; titanium dioxide for industrial purposes; toluene; welding chemicals, namely, gases for welding; xenon; zirconia; welding fluxes; ammonium sulphate; calcium silicate; silica gel; methanol; anthracene; styrene monomer; cyclohexene; chemicals for industrial use, namely, biphenyls, acenaphthenes; , chemicals for industrial use, namely, terphenyl; decahydronaphthalene; tetrahydronaphthalene; chemicals for industrial use, namely, methylnaphthalenes; pyrene; fluorene; coumarone resin; phenanthrene; cyclohexane; bisphenol A; cresol; xylenol; phthalic anhydride; para-benzylbiphenyl; indoles; skatole; coumarin; dihydrocoumarin; indenenes; isoquinolines; quinaldine; tetrachlorophthalic anhydride; divinylbenzene; diphenylbenzene; carbazole; thiophene; pyridine; cement blending agents, namely, contact cements, oil cement; soil improving agents; phenolic resins; polyamide resins; polystyrene resins; polypropylene resins; organometallic compounds, namely, tetraethyl lead; ammonium sulphate fertilizer; liquid crystal, namely, for use in liquid crystal display; foundry coke; ceramic compositions in the form of granules and powders for sintering

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 006 for Alloys of common metal; aluminum; aluminum foil; aluminum wire; balls of steel; boxes of common metal; brackets of metal for building; unwrought or semi-wrought brass; brazing alloys; rods of metal for brazing; metal boards for building; building or furniture fittings of nickel-silver; prefabricated buildings of metal; cable joints of metal, non-electric; unwrought or semi-wrought cast iron; cast steel; unwrought or semi-wrought common metals; containers of metal for storage; containers of metal for transport; unwrought or semi-wrought copper; crash barriers of metal for roads; fittings of metal for building; flanges of metal; foundry moulds of metal; framework of metal for building; gold solder; small hardware of metal, namely, springs, nuts, bolts, nails, rivets, screws and washers; indium; ingots of common metal; iron ores; unwrought or semi-wrought iron; iron wire; joists of metal; unwrought or semi-wrought lead; linings of metal for building purposes; manhole covers of metal; manifolds of metal for pipelines; materials of metal for funicular railway permanent; metals in powder form; nickel; niobium; nuts of metal; pillars of metal for buildings; pipe muffs of metal; poles of metal; posts of metal; construction support props of metal; railroad ties of metal; rails of metal; railway material of metal; railway points; railway sleepers of metal; railway switches; reinforcing materials of metal for building; sheet piles of metal; metal in the form of sheets and plates; silver plated tin alloy; silver solder; metal hardware, namely, cable junction sleeves; soldering wire of metal; metal springs; steel alloys; steel buildings; steel pipes; steel sheets; steel in the form of strips; unwrought or semi-wrought steel; steel wire; metal steps (ladders); stop collars of metal; stops of metal, namely, metal valves; strap-hinges of metal; tantalum; tin; tin foil; tinplate; tinplate packings; titanium; titanium iron; tombac; trellis of metal; tubes of metal; tungsten; metal turntables for railways; vanadium; rods of metal for welding; wire gauze; wire of common metal; wire of common metal alloys, except fuse wire; wire rope; zirconium; steel bars; steel strands; steel cables; steel shapes; wire of metal for welding; heavy plate steel; hot-rolled steel sheets and coils; cold-rolled steel sheets and coils; tin free steel sheets and coils; electrical steel sheets; galvanized sheets and coils

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 006 for Alloys of common metal; aluminum; aluminum foil; aluminum wire; balls of steel; boxes of common metal; brackets of metal for building; unwrought or semi-wrought brass; brazing alloys; rods of metal for

brazing; metal boards for building; building or furniture fittings of nickel-silver; prefabricated buildings of metal; cable joints of metal, non-electric; unwrought or semi-wrought cast iron; cast steel; unwrought or semi-wrought common metals; containers of metal for storage; containers of metal for transport; unwrought or semi-wrought copper; crash barriers of metal for roads; fittings of metal for building; flanges of metal; foundry moulds of metal; framework of metal for building; gold solder; small hardware of metal, namely, springs, nuts, bolts, nails, rivets, screws and washers; indium; ingots of common metal; iron ores; unwrought or semi-wrought iron; iron wire; joists of metal; unwrought or semi-wrought lead; linings of metal for building purposes; manhole covers of metal; manually-operated manifolds of metal for pipelines; materials of metal for funicular railway permanent tracks; metals in powder form; nickel; niobium; nuts of metal; pillars of metal for buildings; pipe muffs of metal; poles of metal; posts of metal; construction support props of metal; railroad ties of metal; rails of metal; railway material of metal; railway points; railway sleepers of metal; railway switches; reinforcing materials of metal for building; sheet piles of metal; metal in the form of sheets and plates; silver plated tin alloy; silver solder; metal hardware, namely, cable junction sleeves; soldering wire of metal; metal springs; steel alloys; prefabricated, portable steel buildings; steel pipes; steel sheets; steel in the form of strips; unwrought or semi-wrought steel; steel wire; metal steps ladders; stop collars of metal; stops of metal, namely, metal valves; strap-hinges of metal; tantalum; tin; tinfoil; tinplate; tinplate packings; titanium; titanium iron; tombac; trellis of metal; tubes of metal; tungsten; metal turntables for railways; vanadium; rods of metal for welding; wire gauze; wire of common metal; wire of common metal alloys, except fuse wire; wire rope; zirconium; steel bars; steel strands; steel cables; steel shapes; wire of metal for welding; heavy plate steel; hot-rolled steel sheets and coils; cold-rolled steel sheets and coils; tin free steel sheets and coils; electrical steel sheets; galvanized sheets and coils

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 007 for Aerators; air suction machines; anti-pollution devices for motors and engines; atomizer machines, namely, spray guns for paint, spraying machines; bearings being parts of machines; bending machines; bookbinding machines for industrial purposes; catalytic converters; compressed air engines not for land vehicles; compressed air machines; compressed air pumps; compressors for machines; air condensing installations; connecting rods for machines, motors and engines; hydraulic and pneumatic control mechanisms for metalworking machines, mining machines, construction machines, loading-unloading machines, semiconductor manufacturing machines, engines and motors; converters for steel works, namely, steel converter; couplings for machines other than for land vehicles; waste crushing machines; cutting machines; drain cocks; drainage machines for construction; drainage machines for agriculture; apparatus for dressing, namely, power-operated cultivators; exhausts for motors and engines, namely, exhaust pipes for land vehicles; finishing machines, namely, concrete finishing machines, plywood finishing machines; gasifiers; generators of electricity; grinding machines; guides for metalworking machines; hand-held tools, other than hand-operated, namely, power-operated tools, namely, buffers; heat exchangers for chemical processing machines, food or vegetable processing machines, and non-electric prime movers not for land vehicles; hemming machines machine tools holders; inking apparatus for printing machines; journal boxes being parts of machines; journals being parts of machines; apparatus for machining, namely, metal working machines, namely, machining centers; exhaust manifold for engines; metal drawing machines; metalworking machines; compression or extrusion moulding machines; forging moulds; mufflers for motors and engines; paper feeders machines for printing; papermaking machines; paring machines for metalworking and woodworking; pneumatic transporters; electric machines and apparatus for polishing metal; electric machines and apparatus for polishing stones; metal extrusion presses; industrial machine presses; pressure regulators being parts of machines; printing cylinders being parts of machines; printing machines; printing plates; printing presses; printing rollers for machines; propulsion mechanisms other than for land vehicles, namely, propellers for machines; ram machines for use in construction; rolling mill cylinders being parts of machines; rolling mills, rotary printing presses; sewage pulverizers being machines; sheaf-binding machines; silencers as part of exhaust systems for vehicle motors and engines; slide rests being parts of machines; speed governors for machines, engines and motors; stone working machines; transmissions for machines; metal trimming machines; turbines other than for land vehicles; tympan being parts of printing presses; vibrators machines for industrial use, namely, concrete vibrators; vulcanization machines; waste compacting machines; waste disposers machines; water heaters being parts of non-electric prime movers, not for land vehicles; water heaters being parts of dish washing machines; gas operated welding machines; electric welding machines; mining working machines, namely, drills for the mining industry; industrial robots for metal working; continuous casting machines; metal surface pickling apparatus, namely, an apparatus for giving a pickling treatment on the surface of metal; metal surface tinning apparatus, namely, an apparatus for tin-plating on the surface of metal; annealing machines

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 007 for Aerators; air suction machines; anti-pollution devices for motors and engines; atomizer machines, namely, spray guns for paint, spaying machines; bearings being parts of machines; bending machines; bookbinding machines for industrial purposes; catalytic converters; compressed air engines not for land vehicles; compressed air machines; compressed air pumps; compressors for machines; air condensing installations; connecting rods for machines, motors and engines; hydraulic and pneumatic control mechanisms for metalworking machines, mining machines, construction machines, loading-unloading machines, semiconductor manufacturing machines, engines and motors; converters for steel works, namely, steel converter; couplings for machines other than for land vehicles; waste crushing machines; cutting machines; drain cocks; drainage machines for construction; drainage machines for agriculture; apparatus for dressing, namely, power-operated cultivators; exhausts for motors and engines, namely, exhaust pipes for land vehicles; finishing machines, namely, concrete finishing machines, plywood finishing machines; gasifiers; generators of electricity; grinding machines; guides for metalworking machines; hand-held tools, other than hand-operated, namely, power-operated tools, namely, buffers; heat exchangers for chemical processing machines, food or vegetable processing machines, and non-electric prime movers not for land vehicles; hemming machines; machine tools holders; inking apparatus for printing machines; journal boxes being parts of machines; journals being parts of machines; apparatus for machining, namely, metal working machines, namely, machining centers; exhaust manifold for engines; metal drawing machines; metalworking machines; compression or extrusion moulding machines; forging moulds; mufflers for motors and engines; paper feeders machines for printing; papermaking machines; paring machines for metalworking and woodworking; pneumatic transporters; electric machines and apparatus for polishing metal; electric machines and apparatus for polishing stones; metal extrusion presses; industrial machine presses; pressure regulators being parts of machines; printing cylinders being parts of machines; printing machines; printing plates; printing presses; printing rollers for machines; propulsion mechanisms other than for land vehicles, namely, propellers for machines; ram machines for use in construction; rolling mill cylinders being parts of machines; rolling mills; rotary printing presses; sewage pulverizers being machines; sheaf-binding machines; silencers as part of exhaust systems for vehicle motors and engines; slide rests being parts of machines; speed governors for machines, engines and motors; stone working machines; transmissions for machines; metal trimming machines; turbines other than for land vehicles; tympan being parts of printing presses; vibrators machines for industrial use, namely, concrete vibrators; vulcanization machines; waste compacting machines; waste disposers machines; water heaters being parts of non-electric prime movers, not for land vehicles; water heaters being parts of dish washing machines; gas operated welding machines; electric welding machines; mining working machines, namely, drills for the mining industry; industrial robots for metal working; continuous casting machines; metal surface pickling apparatus, namely, a machine for giving a pickling treatment on the surface of metal; metal surface tinning apparatus, namely, a machine for tin-plating on the surface of metal; annealing machines

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Electronic agendas; anodes; bar code readers; batteries, electric; capacitors; cathodes; central processing units; integrated circuit chips; cinematographic cameras; recorded computer operating programs; computer peripheral devices; downloadable computer software for database management; computer software, for database management recorded on data media; computers; electric connections; connections for electric lines; electric contacts; electric contacts of precious metal; data processors; electric distribution consoles; electric arc cutters; electric arc welders; electric loss indicators; electric welding apparatus, namely, laser welding devices; galvanizing machines; electrolyzers; smart cards, namely, integrated circuit cards; integrated circuits; intercommunication apparatus; accumulator jars; juke boxes for computers; junction sleeves for electric cables; lasers, not for medical purposes; blank magnetic data media; magnetic encoders; material testing instruments and machines, namely, radiation-measuring instruments, metal compression testing machines, metal hardness testing machines, metal strength testing machines; mathematical instruments, namely, drafting machines; measuring apparatus, namely, levels, rain gauges, pressure gauge, accelerometers, concentration meters, surface roughness testing machines and instruments; measuring instruments, namely, resistance measuring instruments, instruments for measuring length; optical mirrors; computer software to monitor and control factory manufacturing processes; optical apparatus and instruments, namely, optical apparatus for industrial use; optical character readers; optical condensers; optical data media, namely, blank optical disks; photographic, electrostatic and thermic photocopiers; plates for

batteries; portable telephones; printed circuits; prisms; data processing readers; electric resistances ; semi-conductors; solar batteries; telephone apparatus; telecommunications transmitters ; telecommunications transmitting sets; video telephones; silicon wafers; welding electrodes; color filters for liquid crystal display; flexible print circuits; flexible print circuit materials; electrical coils; metal surface galvanizing machines; spark-guards for welding, namely, face-protection shields; downloadable electronic publications, namely, information pamphlets, catalogues, newsletters and books in the field of steelmaking, engineering and construction

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 009 for Electronic agendas; anodes; bar code readers; batteries, electric; capacitors; cathodes; central processing units; integrated circuit chips; cinematographic cameras; recorded computer operating programs; computer peripheral devices; downloadable computer software for database management; computer software, for database management recorded on data media; computers; electric connections; connections for electric lines; electric contacts; electric contacts of precious metal; data processors; electric distribution consoles; electric arc cutters; electric arc welders; electric temperature loss indicator; electric pressure loss indicator; electric welding apparatus, namely, laser welding devices; galvanizing machines; electrolyzers; smart cards, namely, integrated circuit cards; integrated circuits; intercommunication apparatus, namely, intercoms, walkie-talkies; accumulator jars; juke boxes for computers; junction sleeves for electric cables; lasers, not for medical purposes; blank magnetic data media; magnetic encoders; material testing instruments and machines, namely, radiation-measuring instruments, metal compression testing machines, metal hardness testing machines, metal strength testing machines; mathematical instruments, namely, measuring cups, drafting machines; measuring apparatus, namely, bevels, rain gauges, pressure gauge, accelerometers, concentration meters, surface roughness testing machines and instruments; measuring instruments, namely, resistance measuring instruments, instruments for measuring length; optical mirrors; computer software to monitor and control factory manufacturing processes; optical apparatus and instruments, namely, optical scanners; optical character readers; optical condensers; optical data media, namely, blank optical disks; photographic, electrostatic and thermic photocopiers; plates for batteries; portable telephones; printed circuits; prisms; electric resistances ; semi-conductors; solar batteries; telephone apparatus; telecommunications transmitters ; telecommunications transmitting sets; video telephones; silicon wafers; welding electrodes; color filters for liquid crystal display; flexible print circuits; electrical coils; metal surface galvanizing machines; spark-guards for welding, namely, face-protection shields; downloadable electronic publications, namely, information pamphlets, catalogues, newsletters and books in the field of steelmaking, engineering and construction

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 011 for Air conditioning apparatus; air conditioning installations; air cooling apparatus; electric air deodorising apparatus; air filtering installations; air purifying apparatus and machines; air sterilizers; ash pits for furnaces; electrical boilers, furnace boilers, and heating boilers, other than parts of machines; coolers for furnaces; cooling appliances and installations, namely, cooling domes; cooling installations and machines, namely, evaporative air coolers; water desalination plants; distillation apparatus; drying apparatus for chemical processing; electric lamps; evaporators; filters for air conditioning; air filters for industrial furnaces; air filters for industrial boilers; air filters for air-conditioning installations for industrial purposes; air filters for garbage incinerators; water filters for water purifying apparatus; air filters for household electrothermic appliances; fire bars, namely, fireplace grates; shaped fittings for furnaces, namely, cocks, baffles; framework of metal for ovens; fuel economizers for use in boilers, furnaces, smelters, heating systems, turbines and combined heat and power units; furnace ash boxes; furnace grates for industrial furnace and nuclear reactors; furnace grates for industrial boilers; furnace grates for cooking equipment for industrial purposes; furnaces; cooling vats for furnaces; gas scrubbers; heat exchangers, not parts of machines; heating apparatus for solid, liquid or gaseous fuels, namely, hot-water space heating apparatus; heating elements; hot water heating installations; hot air apparatus, namely, hot air space heating apparatus, hot air blowers; lighting apparatus and installations, namely, electric lighting fixtures, flat panel lighting apparatus, LED (light emitting diode) lighting fixtures; loading apparatus for furnaces; mixer taps for water pipes; oven fittings made of fireclay; pasteurisers for use in food, beverage, pharmaceuticals; purification installations for sewage; refrigerating apparatus and machines, namely, gas refrigerators; refrigerating appliances and installations; refrigerating cabinets; regulating accessories for water apparatus and pipes; plumbing fittings in the nature of washers for water taps; sanitary apparatus and installations, namely, bath tubs, toilet stool units with a washing water squirter; steam generating

installations; toilets; water filtering apparatus; water flushing installations, namely, flush levers; water purification installations; water purifying apparatus and machines; water sterilizers; waste melting apparatus, namely, waste melting furnace

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 011 for Air conditioning apparatus; air conditioning installations; air cooling apparatus; electric air deodorising apparatus; air filtering installations; air purifying apparatus and machines; air sterilizers; ash pits for furnaces; electrical boilers, furnace boilers, and heating boilers, other than parts of machines; coolers for furnaces; cooling appliances and installations, namely, cooling domes; cooling installations and machines, namely, evaporative air coolers; water desalination plants; distillation apparatus; electric lamps; evaporators; filters for air conditioning; air filters for industrial furnaces; air filters for industrial boilers; air filters for air-conditioning installations for industrial purposes; air filters for garbage incinerators; water filters for water purifying apparatus; air filters for household electrothermic appliances; shaped fittings for furnaces, namely, cocks, baffles; framework of metal for ovens; fuel economizers for use in boilers, furnaces, smelters, heating systems, turbines and combined heat and power units; furnace ash boxes; furnace grates for industrial furnace and nuclear reactors; furnace grates for industrial boilers; furnace grates for cooking equipment for industrial purposes; furnaces; cooling vats for furnaces; gas scrubbers; heat exchangers, not parts of machines; heating apparatus for solid, liquid or gaseous fuels, namely, hot-water space heating apparatus; heating elements; hot water heating installations; hot air apparatus, namely, hot air space heating apparatus, hot air blowers; lighting apparatus and installations, namely, electric lighting fixtures, flat panel lighting apparatus, LED (light emitting diode) lighting fixtures; loading apparatus for furnaces; mixer taps for water pipes; oven fittings made of fireclay; pasteurisers for use in food, beverage, pharmaceuticals; purification installations for sewage; refrigerating apparatus and machines, namely, gas refrigerators; refrigerating appliances and installations; refrigerating cabinets; regulating accessories for water apparatus and pipes; plumbing fittings in the nature of washers for water taps; sanitary apparatus and installations, namely, bath tubs, toilet stool units with a washing water squirter; steam generating installations; toilets; water filtering apparatus; water flushing installations, namely, flush levers; water purification installations; water purifying apparatus and machines; water sterilizers; waste melting apparatus, namely, waste melting furnace

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for Architectural consultation; architecture, namely, architectural design; construction drafting; urban planning; architectural analysis; engineering services in the field of electrical power plant; engineering services in the field of chemical plant; engineering services in the field of steel plant; engineering services in the field of waste treatment plant; engineering services in the field of polychlorinated biphenyl treatment plant; engineering services in the field of liquefied natural gas plants; engineering services in the field of recycling plant; engineering services in the field of energy plants; engineering services in the field of receiving and storage plants; engineering services in the field of floating structures; engineering services in the field of offshore steel structures; design for others of base-isolation and vibration-control devices; technical consultation in the field of engineering services in the field of electrical power plants; technical consultation in the field of engineering services in the field of chemical plants; technical consultation in the field of engineering services in the field of steel plants; technical consultation in the field of engineering services in the field of waste treatment plants; technical consultation in the field of engineering services in the field of polychlorinated biphenyl treatment plants; technical consultation in the field of engineering services in the field of liquefied natural gas plants; technical consultation in the field of engineering services in the field of recycling plants; technical consultation in the field of engineering services in the field of energy plants; technical consultation in the field of engineering services in the field of receiving and storage plants. technical consultation in the field of engineering services in the field of floating structures; technical consultation in the field of engineering services in the field of offshore steel structures; technical consultancy service for steel making; technical consultancy service for steel making; consultancy in the field of computer hardware; computer programming; computer software design; computer system design; computer system analysis; computer virus protection services; maintenance of computer software; updating of computer software; conversion of data or documents from physical to electronic media; creating and maintaining Web sites for others; data conversion of computer programs and data, not physical conversion; duplication of computer programs; installation of computer software; providing search engines for obtaining data on a global computer network; recovery of computer data; computer software consultancy;

chemical analysis; chemical research; chemistry services; mechanical research; testing, inspection or research of pharmaceuticals, cosmetics or foodstuff; research on building construction or city planning; testing or research on prevention of pollution; testing or research on electricity; testing or research on civil engineering; testing, inspection or research on agriculture, livestock breeding or fisheries; testing or research on machines, apparatus and instruments; material testing; research in the field of environmental protection; underwater exploration; computer rental; rental of computer software; rental of Web servers; hosting computer Web sites of others; calibration; technical writing in the nature of drafting of standard practice instruction for others; technical writing in the nature of drafting of standard practice instruction manual for others

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 042 for Architectural consultation; architecture, namely, architectural design; construction drafting; urban planning; architectural analysis; engineering services in the field of electrical power plant; engineering services in the field of chemical plant; engineering services in the field of steel plant; engineering services in the field of waste treatment plant; engineering services in the field of polychlorinated biphenyl treatment plant; engineering services in the field of liquefied natural gas plants; engineering services in the field of recycling plant; engineering services in the field of energy plants; engineering services in the field of receiving and storage plants; engineering services in the field of floating structures; engineering services in the field of offshore steel structures; design for others of base-isolation and vibration-control devices; technical consultation in the field of engineering services in the field of electrical power plants; technical consultation in the field of engineering services in the field of chemical plants; technical consultation in the field of engineering services in the field of steel plants; technical consultation in the field of engineering services in the field of waste treatment plants; technical consultation in the field of engineering services in the field of polychlorinated biphenyl treatment plants; technical consultation in the field of engineering services in the field of liquefied natural gas plants; technical consultation in the field of engineering services in the field of recycling plants; technical consultation in the field of engineering services in the field of energy plants; technical consultation in the field of engineering services in the field of receiving and storage plants; technical consultation in the field of engineering services in the field of floating structures; technical consultation in the field of engineering services in the field of offshore steel structures; technical consultancy service for steel making; technical consultancy service for steel making; consultancy in the field of computer hardware; computer programming; computer software design; computer system design; computer system analysis; computer virus protection services; maintenance of computer software; updating of computer software; conversion of data or documents from physical to electronic media; creating and maintaining Web sites for others; data conversion of computer programs and data, not physical conversion; duplication of computer programs; installation of computer software; providing search engines for obtaining data on a global computer network; recovery of computer data; computer software consultancy; chemical analysis; chemical research; chemistry services; mechanical research; testing, inspection or research of pharmaceuticals, cosmetics or foodstuff; research on building construction or city planning; testing or research on prevention of pollution; testing or research on electricity; testing or research on civil engineering; testing, inspection or research on agriculture, livestock breeding or fisheries; testing or research on machines, apparatus and instruments; material testing; research in the field of environmental protection; underwater exploration; computer rental; rental of computer software; rental of Web servers; hosting computer Web sites of others; calibration; technical writing in the nature of drafting of standard practice instruction for others; technical writing in the nature of drafting of standard practice instruction manual for others

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

ADDITIONAL STATEMENTS

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /KRO/ Date: 10/30/2009

Signatory's Name: Kausal R. Odedra

Signatory's Position: Applicant's Attorney, DC bar

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest

court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79057725

Internet Transmission Date: Fri Oct 30 15:14:04 EDT 2009

TEAS Stamp: USPTO/RFR-68.50.14.125-20091030151404642

005-79057725-460cef9f2aafd612fad987ca8eb

983b5021-N/A-N/A-20091030144612379064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Matter of:

Applicant: Shin Nippon Seitetsu Kabushiki Kaisha
(DBA Nippon Steel Corporation)

Serial No. 79/057,725

Mark: On the Leading Edge: Nippon Steel (and design)

Amendment to Register the Mark Under Section 2(f)
for the "NIPPON STEEL" Portion of the Mark

Applicant believes it has shown the mark is distinctive in previous USPTO communications, however, in the alternative, Applicant amends to seek registration under Trademark Act section 2(f) for the NIPPON STEEL portion of the mark.

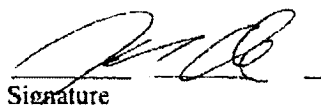
- 1) Upon information and belief, the NIPPON STEEL portion of the mark has become distinctive of the goods and services through applicant's substantially exclusive and continuous use with the same or related goods or services in a type of commerce that the U.S. Congress can regulate for at least five years immediately before the date of this statement.
- 2) Applicant also provides the following evidence to show the NIPPON STEEL portion of the mark has acquired distinctiveness for all of the goods and services:
 - A. NIPPON STEEL is world famous. Please see Exhibit 1 which shows world wide press coverage in various media in which the press recognizes the brand name NIPPON STEEL as specific source producer, the Applicant (including, Wikipedia, Reuters, Bloomberg, BBC News, Yahoo News, Google, etc..). The name NIPPON STEEL is recognizable to its customers similar to companies like GENERAL MOTORS and GENERAL ELECTRIC. A Google search

immediately lists Applicant's business activities including it's various other company lines. The second Google hit displays a Wikipedia article which states "Nippon Steel is the world's second-largest steel producer in volume and the second most profitable steel company in the world" (see page 2 of Exhibit 1).

- B. Exhibit 2 are copies of product brochure cover pages showing use of the mark, and various world wide office locations. Exhibit 2 also contains a corporate history outline on pages 46-49 from its 2008 annual report which shows its roots going back to 1887. As shown in Exhibit 2, Applicant is a global supplier and has offices in New York and Chicago.
- C. Exhibit 3 is a corporate document titled "Basic Facts About Nippon Steel 2009" and page 62 thereof which details exports to USA sales figures going back to 1977 under the NIPPON STEEL portion of the mark. This information clearly shows that NIPPON STEEL has a long and substantial sales history in the US. Clearly, customers know NIPPON STEEL to designate a particular distinctive source of goods originating from the Applicant.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this document on behalf of the applicant, he/she believes the applicant to be the owner of the trademark sought to be registered, and all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Applicant: Shin Nippon Seitetsu Kabushiki Kaisha
(DBA Nippon Steel Corporation)



Signature

Oe Katsumi

Name

Senior Manager,
Administration Dept.,
Intellectual Property Div.

Title

Oct. 27, 2009
Date

EXHIBIT 1

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Sign in

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nippon steel

Search

Advanced Search
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Results 1 - 10 of about 712,000 for nippon steel. (0.14 seconds)

Nippon Steel Corporation

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Nippon Steel, JFE Said to Win 57% Drop in Coal Price - Mar 23, 2009
 By Yoshifumi Takemoto March 23 (Bloomberg) -- **Nippon Steel** Corp. and JFE Holdings Inc. Japan's two largest mills, negotiated a 57 percent cut in the price ...
 Bloomberg - 70 related articles »
Steel makers to negotiate lower coking coal rates -
 Business Standard - 10 related articles »
 Japan **steel** output seen at 18 mln tonnes in April-June - Reuters - 35 related articles »

Nippon Steel Chemical Group

Manufacturer of carbon and gases, plastics, construction materials, and petrochemicals.
www.nssc.co.jp/english/ - 12k - Cached - Similar pages

Nippon Steel Trading Co., Ltd.

Nippon Steel Trading Co., Ltd. HOME · Japanese · Site Map. February 02, 2007. Renewal of web-site of our English page. FLASH PLAER · Adobe Reader. MHkitsu ...
www.ns-net.co.jp/english/index_e.html - 4k - Cached - Similar pages

Nippon Steel Enters SiC Wafer Business -- Tech-On!

Mar 27, 2009 ... **Nippon Steel** Enters SiC Wafer Business --- Tech-On! is a one-stop online

Nippon Steel

From Wikipedia, the free encyclopedia

Nippon Steel Corporation (新日本製鐵株式會社 *Shin Nippon Seitetsu Kabushiki-gaisha*) (TYO: 5401 (<http://www.bloomberg.com/apps/quote?ticker=5401:JP>)), also referred to as **Shinnittetsu** (新日鉄), was formed in 1970. Nippon Steel Corporation is the world's second-largest steel producer in volume and the second most profitable steel company in the world.

Contents

- 1 Early years
- 2 Troubled times
- 3 Environmental Record
- 4 Diversification
- 5 Notes
- 6 External links

Early years

Nippon Steel was created by the merger of two giants, Yawata Iron & Steel (八幡製鐵 *Yawata Seitetsu*) and Fuji Iron & Steel (富士製鐵 *Fuji Seitetsu*), into a juggernaut. Beginning in early 1981, however, the company cut production and saw a sharp decline in profit that fiscal year. Forced to close furnaces, the company exhibited a typical Japanese economic aversion to layoffs, opting instead to offer standard early retirement enticements but also less conventional schemes such as a mushroom cultivation venture that used the surplus heat created by steel furnaces to temperature control a fecund fungi complex.^[2]

Troubled times

Attributing the drop to higher material costs, the company entered into another troubled year. In 1983, the company reported the end of the fiscal year (March 31) would reveal Nippon Steel was in an even more beleaguered situation. A fall in demand brought about a 39 percent tumble in profits from an already weak previous year. During this time the entire Japanese steel industry struggled in a period of turmoil as other nations such as South Korea, with only a fraction of labor costs, won over business. The company announced a loss in 1986, prompting a determined effort to diversify away from the moribund "smokestack" industrial sector and to provide new work for thousands of employees that would be transferred from closing furnaces.

Nippon Steel Corporation

新日本製鐵

Type	Public (TYO: 5401 (http://www.bloomberg.com/apps/quote?ticker=5401:JP))
Founded	1950
Headquarters	Tokyo, Japan
Key people	Akio Mimura, Representative Director & President
Industry	Steel
Products	Steel Chemicals Urban Development
Revenue	▲ \$36.443 billion USD (FY 2007) ^[1]
Net income	▲ \$2.974 billion USD (FY 2007) ^[1]
Total assets	▲ \$45.276 billion USD (FY 2007) ^[1]
Employees	14,346 (2007) ^[1]
Subsidiaries	Nippon Steel Engineering Nippon Steel Materials Nippon Steel Chemical
Website	www.nsc.co.jp (http://www0.nsc.co.jp/shinnihon_english/)



Burning coke, which is combined with iron ore in the steel-making process, at the Kimitsu plant owned by Nippon Steel near Tokyo.

Challenges mount for Nippon Steel

Strong rivals, currency woes and ore prices beset company

By Yuko Iwase
Reuters

KIMITSU, Japan: Sparks fly and a wall of heat hits you as 300 tons of molten iron pour from a huge bucket into a furnace amid wailing sirens at Nippon Steel's Kimitsu plant near Tokyo.

Elsewhere in the factory, a thick, red-hot plate of steel slides along a production line below an elevated walkway. A protective jacket and helmet are supplied, but you still get toasted as you walk across.

High temperatures are the norm in a steel mill, but Nippon Steel, one of the world's largest steel makers, is more worried about another kind of heat.

The common concern of top executives at steel makers is how to avoid being taken over. Akio Mimura, president of Nippon Steel, said in an interview in December.

The company knows how to pour, pound and roll high-quality steel, but big rivals are catching up and there is a constant battle for customers as the world splits into two or three large steel groups.

"In a world where 50- to 60-million-ton-a-year mills are becoming common, everybody knows that size matters," Mimura said.

Nippon Steel may be No. 2 in the world, but it lags far behind the world leader, ArcelorMittal. Born in 2006 through the merger of two companies whose names it combines, ArcelorMittal produces 18 million tons of steel a year and is three times the size of Nippon Steel, which suddenly feels vulnerable to a takeover.

Adding to the heat are skyrocketing iron ore prices and the mining giant BHP Billiton's \$147 billion takeover bid for Biliton's rival, Rio Tinto, which threatens to squeeze steel makers' margins.

Nippon Steel already faces a 65 percent jump in iron ore price this year and skyrocketing prices for coking coal, freight and alloys, although it expects that strong demand for Japanese ships and cars will allow it to pass on most of the higher costs.

Nippon Steel has hardly had a moment's peace since its birth in 1970 in a merger of two Japanese firms, Yawata Steel and Fuji Steel.

In the late 1980s, its home currency, the yen, doubled in value in the course of a 30-year flat patch for global steel demand. Nippon Steel cut its work force by three-fourths and shut four of its 13 blast furnaces.

The 21st century brought another challenge as Nissan Motor, frustrated with buying steel from a myriad of small suppliers, demanded steep discounts and threatened to cut the number of companies it bought from.

It was tough at the time, but the pressure forged a much stronger Japanese steel industry built around five companies, with Nippon Steel still the biggest.

Japan's dynamic car industry has played a big part in Nippon Steel's success. Its strategy has been focused on sharpening its technological edge so that carmakers and other manufacturers cannot survive without its steel.

But it is now aggressively seeking growth in volume as well, as the world's fragmented steel industry consolidates into fewer, bigger groups to negotiate better with both customers and miners.

Mimura has struck deals in the past two years to build or expand automotive steel plants with partners in the United States, China, Brazil, India and Thailand — in some cases buying shares to lock the firms together.

Collaborators include Posco of South Korea, the Baosteel Group of China, Tata Steel of India and Usiminas of Brazil. More are being considered

for potential mergers.

"Friendly mergers and acquisitions are one of our options," Mimura said. "We need to further expand into overseas markets if we are to seek growth."

Japanese steel makers enjoy booming demand from car and shipbuilding industries and from a seemingly insatiable appetite for steel in China.

With fewer, bigger steel makers, they now have more bargaining power over large customers like Toyota Motor, Komatsu, the maker of earthmoving machines, and Mitsubishi Heavy Industries, the machinery maker.

A technological edge and close contacts with picky clients have also set high barriers for would-be competitors.

At the Kimitsu plant, Nippon Steel's humming production lines capable of turning out 30 million tons a year are a showcase for its hidden know-how. It produces few kinds of high-grade steel, like an extremely strong but thin, soft, easy-to-form steel used in car bodies that helps cut their fuel consumption.

In the past five years, Nippon Steel's profit has nearly quadrupled, along with its share price.

But the heat never goes away for long. Concerns about the repercussions of the U.S. subprime housing crisis and a need to buy ore from miners, rather than having its own mines, have added new pressures for Nippon Steel.

Its shares have fallen 40 percent since last July, while those of its ArcelorMittal, which has its own mines, have risen 5 percent.

But Takashi Maruta, an analyst from Iwata Institute of Research, sees opportunities for the Japanese company.

"Now that its growth strategy has been set, Nippon Steel will have a sharply higher capacity five years from now," he said. "The market will have a different view of the company's stock when the prospect becomes clearer."

14 52 31Jul08 RTRS-WRAPUP 1-Nippon Steel, JFE 21 profit down, Nippon hikes 1 cast
(Adds JFE result, analyst comment)

By Yuko Inoue

TOKYO, July 31 (Reuters) - Nippon Steel Corp <5401.T>, the world's No 2 steelmaker said its quarterly profit sank 3 percent on spiralling costs but it boosted its full-year forecast after striking deals to raise long contract prices from some of its users.

Third-ranked JFE Holdings Inc <5411.T> said its April-June pretax recurring profit fell 23 percent, and its forecast 450 billion yen (\$1.2 billion) profit for the year in March 2009. JFE had previously declined to forecast full-year profit as price talks with clients had stalled.

Substantial delays in negotiations with carmakers and shipbuilders on six-month and annual contract prices battered Japanese steelmakers. April-June results as prices stayed low while the cost of iron ore nearly doubled and coal trebled.

Industry experts expect steelmakers to raise prices by nearly 40 percent this business year and increase profit targets again in September as they pass on most of the high raw material costs.

"There is a chance we will see another upward revision," said Shinya Yamaji, an analyst at Credit Suisse. "I don't think they have fully factored in the impact of price hikes."

Global demand for steel has remained strong so far this year, boosting prices, despite soft economic growth and turmoil in financial markets. The weak U.S. housing sector has not affected demand, since that market is not a major steel purchaser.

This week, top-ranked ArcelorMittal <MT.N> <ISPA AS> posted record quarterly net profit of \$5.84 billion, way above analyst expectations, after passing on rising raw materials costs, and U.S. Steel Corp <X.N> also beat forecasts on surging prices.

South Korea's POSCO <005400.KS>, ranked fourth in the world, this month beat forecasts with record quarterly net profit, and increased its earnings targets to reflect a sharp rise in its benchmark steel prices.

Nippon Steel, a major beneficiary of strong worldwide sales by Japanese carmakers such as Toyota Motor Corp <7203.T>, booked 144.1 billion yen (\$1.3 billion) in April-June recurring profit, which is pretax and before special items.

It raised its profit forecast for the year to March 2009 to 450 billion yen from the 370 billion yen outlook announced three months ago. That was still short of an average 509.48 billion yen estimate given in a poll of 11 analysts in Reuters estimates.

Shares in Nippon Steel climbed 14 percent in April-June, in line with Tokyo's steel sub-sector index <ISTEL.T>, while JFE gained 21 percent.

Sumitomo Metal Industries <5405.T> on Thursday also fixed its recurring profit forecast for the full year. It now sees a 250 billion profit, up 19 percent from its previous forecast, after posting a 1.1 percent fall in its quarterly profit.

Fata Steel <FISL.SD>, the world's sixth-biggest producer, posts quarterly earnings later on Thursday.

(Editing by Ian Geoghegan) (yuko.inoue@thomson-reuters.com, +81-3-5441-1815 Reuters Messaging: yuko.inoue.reuters.com@reuters.net)

(\$1=1008.2 Yen)

(\$1=107.94 Yen) Keywords: JAPAN STEEL

Keywords: JAPAN STEEL

日経産業新聞
2008.8.1

非微粘炭 3.7倍で決着 高炉
新日本製鉄、JFE、豊田、三井物産の上
スチールなど大手製鉄会社は、今年度に入
各社に2008年度用炭の購入価格を、前年度に
比し3.7倍に引き上げることを決めた。これは
高炉用炭の価格が、前年度に比し3.7倍に
7割に引き上げられたことによる。高炉用炭
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れたことによる。高炉用炭の価格が、前年度
に比し3.7倍に引き上げられたことによる。

14 09 31Jul08 -NIPPON STEEL AGREED \$240/TONNE COAL TERM CONTRACT (ALL PRICE WITH
XSTRATA, UP FROM \$64/T LAST YEAR

14 21 31Jul08 -Nippon Steel agrees quadruple coal term contract

TOKYO, July 31 (Reuters) - Nippon Steel Corp <5401.T>, the world's second-biggest steelmaker, said on Thursday it had agreed with mining group Xstrata <XIA.L> on an almost quadrupling prices for low-grade coal.

The contract price for low-grade coal will be hiked to \$240 per tonne in the current business year against \$64 last year, Nippon Steel said.

(Reporting by Yoko Inoue)

((sachi.izumi@thomsonreuters.com, +81-3-5441-1803 Reuters Messaging

sachi.izumi.reuters.com@reuters.net)) Keywords: NIPPON STEEL/COAL

Thursday, 31 July 2008 14:09:14

RTRS (RTR003267) (C)

RND5

日経産業新聞
2008.8.1

コークス配合用炭も大幅値上げ

今年度、最大で4倍に

高炉用コークス配合用炭の価格が、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。

台座した高炉は、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。

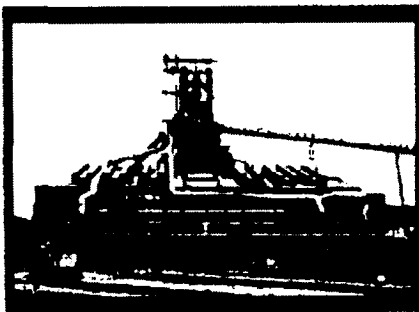
高炉用コークス配合用炭の価格が、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。高炉用炭の価格が、前年度に比し4倍に引き上げられたことによる。




Nippon Steel, Tokyo Steel Plan Output Cuts as Recession Deepens

Email | Print | A A A

By Masumi Suga and Yoshifumi Takemoto



Jan. 23 (Bloomberg) -- Nippon Steel Corp., Asia's largest steelmaker, and Tokyo Steel Manufacturing Co. said they plan to reduce output to try to counter deteriorating demand as the global recession deepens.

Nippon Steel, the world's second-largest mill, will probably cut output by more than 4 million metric tons for the six months to March 31, double a November estimate of about 2 million to 2.2 million tons, President Shoji Muneoka said today. Tokyo Steel wants to halt production for between two and five days a month, Managing Director Eiichi Sakabe

said separately.

Steelmakers worldwide including JFE Holdings Inc., Nippon Steel's biggest domestic rival, are scaling back output to weather slumping sales to customers including Toyota Motor Corp., Japan's largest automaker. Global crude steel output fell 24 percent in December, according to the World Steel Association.

"The economy is in a very severe condition," Nippon Steel's Muneoka said at a meeting of the Japan Iron & Steel Federation, which he chairs. Annual output from the steelmaker was forecast in November at 31.1 million tons. "The company will work out specific figures for production cuts by the end of this month."

Nippon Steel, which is scheduled to report earnings on Jan. 29, fell 5 percent to 265 yen in Tokyo at the 3 p.m. close, the lowest since Dec. 3. The shares have lost 8.6 percent since the start of the year compared with the 13 percent drop in the benchmark Nikkei 225 Stock Average.

Tokyo Steel Manufacturing was in talks with its union about the monthly halts, Managing Director Sakabe said at a press conference. The Tokyo-based company, which has lost 7.2 percent of its market value this year, plans to apply for wage subsidies under a government aid program, Sakabe said.

BOJ Downgrade

Japan's economy, the largest in Asia, is worsening "significantly," the Bank of Japan said today in a report, downgrading its assessment for the third straight month.

Governor Masaaki Shirakawa and his policy board have said they expect gross domestic product to shrink 1.8 percent in the year ending March 31 and 2 percent the following year. Japan's exports plunged 35 percent in December, the most on record, from 27 percent in November.

Nippon Steel earlier this month discussed halting the Kimitsu furnace near Tokyo, according to four industry executives familiar with the matter. Muneoka today declined to confirm whether the company is considering the closure of the 2.4-million ton capacity furnace.

JFE Cutbacks

JFE, Asia's second-largest steelmaker, expanded output cuts to 4 million tons for the second half, according to a Dec. 25 statement. It's halting operations at a blast furnace in western Japan for maintenance ahead of schedule as part of the cutback.

Bloomberg.com**Nippon Steel, Posco Will Cooperate on Ore and Coal Contracts**

Email | Print | A A A

By Sungwoo Park

Jan. 18 (Bloomberg) -- Nippon Steel Corp., the world's second-largest steelmaker, said it will cooperate with South Korea's Posco in talks with suppliers over iron ore and coking coal contract prices for this year.

"Sure, we already have alliance with Posco," Akio Mimura, chairman of Tokyo-based Nippon Steel told reporters in Seoul yesterday when asked if the company plans to cooperate with the Korean steelmaker in raw material negotiations with miners. They have not started talks yet, he said without elaborating.

Baosteel Group Corp., China's biggest steelmaker, started talks to set annual contract prices with Rio Tinto Group last week in Shanghai. Prices, which have risen the past six years to a record, may fall 30 percent, according to a Bloomberg News survey of 11 analysts last week, trimming profits for London-based Rio and BHP Billiton Ltd. of Melbourne, the world's No. 2 and 3 iron ore exporters respectively.

Coking coal producers from Australia, Canada and Russia will begin talks with steelmakers next week in Japan to settle contract coking coal prices for the year starting April 1, the Tex Report said on Jan. 16 without citing anyone.

Goldman Sachs JBWere Pty predicts annual contract prices of coal will fall 60 percent and iron ore 30 percent from April.

There may be a "wide gap" between prices that steelmakers and miners want for this year's contracts when talks begin, Lee Ku Taek, outgoing chief executive of Pohang-based Posco, said on Jan. 15.

Nippon Steel does not plan to shut down a blast furnace at the moment because of weakening demand, Mimura also said.

To contact the reporter on this story: Sungwoo Park in Seoul at spark47@bloomberg.net.

Last Updated: January 17, 2009 18:00 EST





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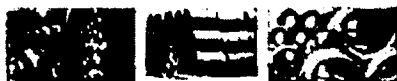
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Nippon Steel Lowers Profit Forecast as Production Cut (Update 1)
Jan. 29 (Bloomberg) — Nippon Steel Corp., the world's second-largest producer, cut its annual earnings target and forecast a fourth-quarter loss as a deepening recession dampened demand from carmakers and builders.
(Bloomberg) Jan. 29, 2001 AM

Nippon Steel to idle blast furnace in late February
Nippon Steel Corp. said Thursday it will idle one of its three blast furnaces in Kamaishi, Chiba Prefecture, in late February to adjust for a sharp drop in demand for steel from automakers. The company also has said it will start refurbishing a blast furnace in Oka Prefecture in February instead of its originally scheduled time in March. Read the full story.
(The Japan Times) Jan. 29, 11:12 PM

Nippon Steel increases stake in Usiminas to 29.2% - Brazil
Japan-based Nippon Steel increased its stake in Brazilian steel manufacturer Usiminas to 29.2% after buying 5.9% from iron ore miner Vale (NYSE:RIO). Usiminas said in a statement.
(Reuters News America) Jan. 29, 11:17 PM

Nippon Steel slashes forecast by a third
Nippon Steel, the world's second-largest steelmaker, slashed its full-year profit forecast by a third yesterday to reflect plunging demand from the hard-hit Japanese car industry.
(Reuters Times) Jan. 29, 11:16 AM

Nippon Steel 9 mth profit falls, cuts outlook
TOKYO Jan. 29 (Reuters) — Nippon Steel Corp. (5401.T) reported a 5.6 percent drop in nine-month profit as a slump in car sales hit its mainstay outsheet steel business, and it cut its profit outlook for this year by 35.7 percent.
(Reuters) Jan. 29, 11:15 AM

Rising iron ore costs hit Nippon Steel
Nippon Steel, the world's second biggest steelmaker, yesterday reported a 13 per cent drop in quarterly profit due to a rise in the cost of iron ore and other raw materials.
(Reuters Times) Jan. 29, 11:16 AM

Nippon Steel says to raise stake in Usiminas
TOKYO Jan. 29 (Reuters) — Nippon Steel Corp. (5401.T), the world's No. 2 steelmaker after ArcelorMittal, said it and its subsidiary would buy a 5.9 percent stake in Brazilian steelmaker Usiminas from Vale.
(Reuters) Jan. 29, 11:15 AM

Posco Cuts Steel Output for Third Straight Month (Update 2)
Feb. 2 (Bloomberg) — Posco, Asia's third-largest steelmaker, will cut production in February bringing output last since December to 2.3 percent of last year's total as the global recession reduces demand.
(Bloomberg) Feb. 2, 10:58 AM

POSCO sees Feb steel output cut below 200,000 tonnes
(Recasts with POSCO comment)
(Reuters) Jan. 29, 11:15 AM

POSCO says Feb steel output cut to pct less than Jan
(Adds analyst comments, details)
(Reuters) Jan. 29, 11:15 AM

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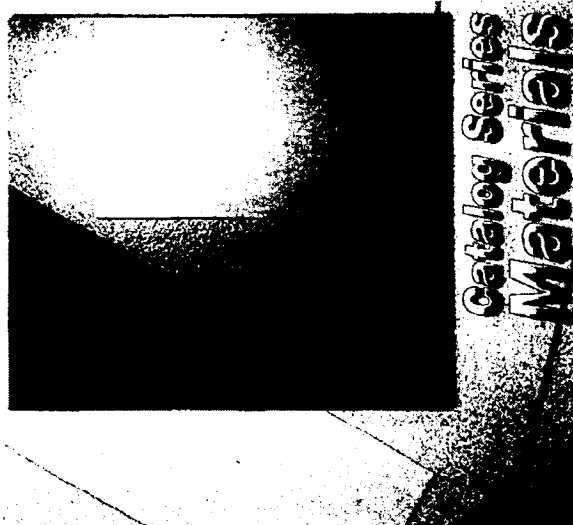
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136	Microsoft	51,122	14,066
137	Royal Ahold	50,739	4,012
138	Seas Holdings	50,703	626
139	Groups Auchan	50,465	1,317
140	Mitsui	50,252	3,591
141	Seven & I Holdings	49,768	1,130
142	United Parcel Service	49,692	382
143	Pfizer	48,418	8,144
144	Intesa Sanpaolo	48,305	9,924
145	Lowe's	48,283	2,809
146	Tokyo Electric Power	47,980	1,314
147	Rabobank	47,388	3,223
148	China Mobile Communications	47,095	8,426
149	Fujitsu	46,680	421
150	Time Warner	46,615	4,387
151	GlaxoSmithKline	46,447	10,432
152	Caterpillar	44,958	3,541
153	Vedica Environment	44,750	1,270
154	Aeon	44,704	380
155	Boyer	44,664	6,448
156	Medco Health Solutions	44,506	912
157	Supervalu	44,048	593
158	Archer Daniels Midland	44,018	2,162
159	China Life Insurance	43,440	2,936
160	Telecom Italia	43,384	3,351
161	Finnish Mail	43,353	2,050
162	Finnish Mail	43,104	3,094
163	Deutsche Bahn	42,855	2,328
164	Gateway	42,286	838
165	Nippon Steel	42,267	3,108
166	BT	42,252	3,486
167	Volvo	42,230	2,203
168	Sinaco	42,101	891
169	Vinci	41,969	2,060
170	Lockheed Martin	41,882	3,033
171	China Construction Bank	41,307	9,073
172	Bouygues	40,721	1,883
173	Samsung Motor Financial Group	40,485	4,041
174	NCC	40,430	199
175	Poche Group	40,315	8,134
176	Sprint Nextel	40,146	29,580
177	Best Buy	40,023	1,407
178	Santander	39,977	7,204
179	Franz Haniel	39,931	509
180	Barclay Mutual Life Insurance	39,863	1,148
181	Stevens	39,800	11,346
182	Mizuho Financial Group	39,610	2,725
183	BHP Billiton	39,498	13,416
184	PeptiCo	39,474	5,659
185	Landesbank Baden-Wuerttemberg	39,450	415
186	Kor Holding	39,382	1,758

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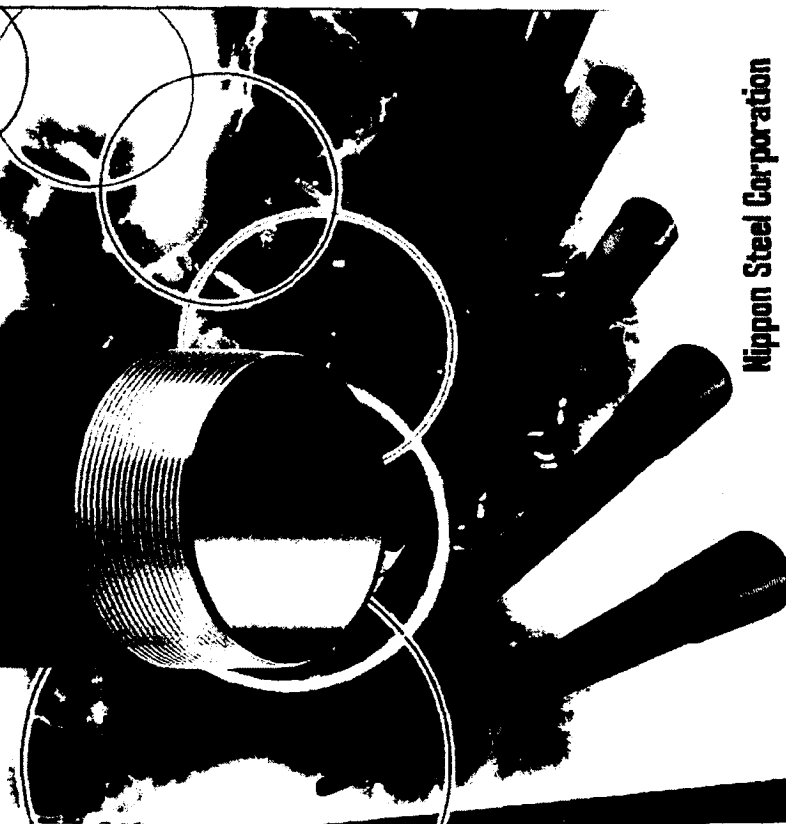
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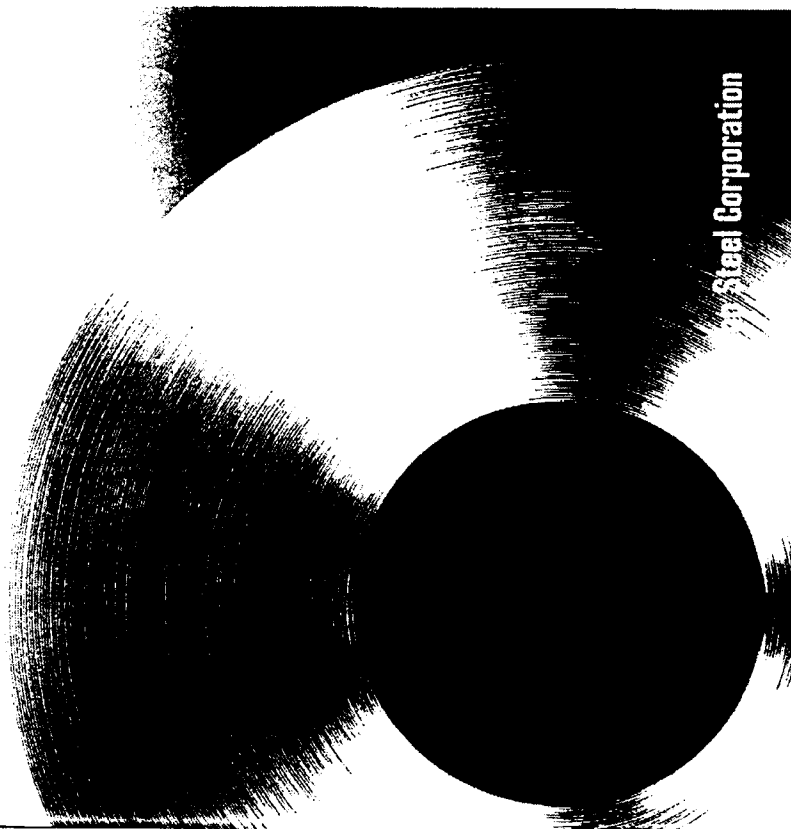
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Basic Facts About Nippon Steel 2009

Nippon Steel Corporation

Basic Facts About Nippon Steel 2009

On the Leading Edge Nippon Steel

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Imports

Imports by Type of Products

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Years ended March 31														
Pig iron	723	3,721	2,468	838	787	1,833	1,128	830						
Iron alloys	877	1,351	1,788	2,005	1,828	1,980	2,146	2,053						
Ingots and semi-finished products	421	1,165	505	186	165	105	197	152						
Ordinary steel products	2,808	6,181	5,721	3,734	4,092	3,800	3,668	3,322						
Other rods	27	524	408	153	302	283	221	249						
Plates	1,022	1,303	1,192	518	272	208	161	213						
Hot-rolled sheets	1,522	2,713	2,337	1,562	1,619	1,555	1,657	1,409						
Cold-rolled sheets	182	531	932	926	1,042	932	978	853						
Galvanized sheets	6	177	400	228	371	355	368	317						
Pipe and tubes	46	312	244	97	104	102	92	70						
Others	53	621	193	245	332	266	193	211						
Specialty steel products	28	25	155	324	259	275	239	202						
Secondary products and others	31	152	272	623	642	702	724	594						
Total	5,023	12,596	10,908	7,719	7,763	8,895	8,102	7,293						

Source: The Japan Iron and Steel Federation

Imports by Major Supply Source

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Years ended March 31														
Korea	1,437	2,809	2,811	1,953	2,352	2,112	2,195	1,914						
Taiwan	477	644	587	947	861	927	786	842						
China	—	288	698	748	722	672	580	653						
India	—	97	125	13	1	—	—	—						
Russia	—	—	161	58	11	6	5	10						
Romania	89	198	36	—	—	—	—	—						
Turkey	—	148	114	—	—	—	—	—						
Brazil	407	485	248	—	—	—	—	—						
Australia	—	69	171	—	9	—	—	—						
New Zealand	—	91	103	2	3	2	3	3						
Others	480	1,342	568	93	100	82	84	86						
Total	2,888	6,181	5,721	3,734	4,092	3,800	3,668	3,322						

Source: The Japan Iron and Steel Federation

USA

Exports

Export Shipments

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Years ended March 31														
Tonnage (1,000 tons)	36,518	32,076	17,284	22,821	34,618	32,074	39,913	38,448	34,153					
Monetary values (\$ million)	11,148	13,584	13,638	18,911	26,686	28,582	33,287	38,638	43,963					
Monetary values (\$ billion)	3,257	3,257	3,257	5,678	8,000	8,582	10,186	11,791	13,391					
Per-ton price (\$)	306	427	780	835	771	826	926	1,005	1,287					
Per-ton price (\$1,000)	90	101	112	80	82	105	108	115	131					
Exchange rate (US\$1=)	287	238	141	66	107	113	117	114	101					

Source: The Japan Iron and Steel Federation

Export Shipments by Destination

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Years ended March 31														
Asia	10,472	16,423	10,839	17,776	29,700	26,221	28,896	31,929	28,236					
China	3,072	10,133	1,784	3,525	6,543	5,549	6,401	6,824	6,131					
Korea	1,484	1,988	1,767	3,432	8,754	7,730	8,920	10,140	8,512					
Taiwan	1,317	1,132	1,632	2,447	3,088	3,526	3,804	3,713	3,271					
Singapore	778	670	887	1,064	619	535	683	601	708					
Indonesia	720	750	742	963	1,135	1,158	856	1,208	1,321					
Thailand	753	738	1,770	2,841	4,049	3,913	3,880	4,395	3,589					
Middle East	4,866	3,324	924	556	1,201	1,409	1,563	1,439	1,015					
Iran	1,757	763	397	83	225	374	223	128	110					
Saudi Arabia	1,091	1,163	248	280	270	409	592	491	383					
Europe	8,008	2,810	981	687	971	730	783	835	764					
EU-27	1,635	618	353	288	505	443	508	543	548					
Former USSR	3,044	2,172	384	110	101	56	130	142	128					
N.America	8,117	5,234	3,421	2,285	1,673	1,795	2,381	1,928	1,796					
USA	7,518	4,875	3,213	2,168	1,407	1,617	1,966	1,618	1,522					
Canada	497	359	208	127	265	178	415	305	274					
Central & South America	3,008	682	455	615	978	1,056	1,419	1,338	1,351					
Africa	1,257	546	358	311	304	329	308	408	430					
Oceania	780	755	316	416	510	532	684	571	580					
Total	39,518	32,076	17,284	22,821	34,618	32,074	39,913	38,448	34,153					

* 1 in FY2008, the all-time high reached in FY1977 was broken

* 2 EC-8 for 1977, EC-12 by December 1985

* 3 CIS after January 2007

EU-15 by March 2004, EU-25 after April 2004

EU-27 after January 2007

* 3 CIS after 2007

Export Shipments by Type of Products

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Years ended March 31														
Ordinary steel products	32,340	27,365	13,612	16,761	23,447	22,945	24,684	28,372	23,136					
Plates	4,145	2,845	877	1,408	2,644	2,868	2,889	3,408	3,436					
Hot-rolled sheets	5,522	3,076	1,828	2,284	6,850	5,658	7,105	7,447	6,012					
Cold-rolled sheets	5,756	4,784	3,188	4,230	3,533	2,972	3,185	3,175	2,831					
Electrical sheets	380	309	316	543	884	838	756	835	795					
Thinplate	872	771	755	790	525	468	452	531	597					
Coated sheets	2,533	2,677	2,761	3,501	5,833	4,907	5,461	5,830	5,113					
Pipe and tubes	4,705	8,138	2,675	1,918	2,678	2,470	2,492	2,327	2,299					
Sections	8,483	5,318	1,412	2,107	2,599	2,174	2,345	2,821	2,352					
Specialty steel products	1,757	2,142	2,986	3,842	5,416	4,401	5,611	5,936	5,263					
Secondary products	1,368	981	526	495	583	600	642	715	604					
Others	1,054	1,608	140	1,534	3,160	4,728	4,976	5,424	4,852					
Total	35,516	32,076	17,284	22,821	34,618	32,074	39,913	38,448	34,153					

Source: The Japan Iron and Steel Federation